

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
Jun 24, 2020, 11:57 am
CLERK OF COURT

UNITED STATES OF AMERICA,

vs.

SHAWN MARTINEZ

Mag. No. 20-697 WRP

**AGENT'S AFFIDAVIT
IN SUPPORT OF CRIMINAL COMPLAINT**

TIMOTHY H. NGUYEN, being duly sworn, states the following:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent of the U.S. Drug Enforcement Administration ("DEA"), currently assigned to the DEA Enforcement Group 1 at the Honolulu District Office in Honolulu, Hawaii. I have been employed by the DEA since September 2017. I am empowered by law to conduct investigations of and to make arrests for violations of the Controlled Substances Act, and related offenses.

2. I have received specialized training from DEA in Federal drug law enforcement. I have been involved in numerous drug-related arrests, numerous search warrants, and surveillances. I have debriefed numerous narcotics traffickers following their arrest. I have participated in drug trafficking investigations in which court-authorized wire interception was utilized.

3. I have become knowledgeable with the enforcement of state and federal laws pertaining to narcotics and illegal drugs. Based on this experience, I have become well versed in the methodology utilized in narcotics trafficking operations, the specific types of language used by narcotic traffickers, the unique trafficking patterns employed by narcotics organizations and their patterns of drug abuse.

4. Because of my personal participation and involvement in this investigation, conversations with other DEA Agents and Task Force Officers, reviews of criminal indices, checks of commercial databases, and other investigatory techniques, I am familiar with the facts and circumstances of this investigation. My training and experience as a DEA Special Agent, including my personal participation in this investigation, form the basis of the opinions and conclusions set forth below. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the specified violation of federal law and does not set forth all of my knowledge about this matter.

5. This affidavit is made in support of a criminal complaint and arrest warrant for Shawn MARTINEZ, for the crime of conspiracy to distribute

methamphetamine, a violation of Title 21, United States Code, Sections 846 and 841(a)(1).

PROBABLE CAUSE

6. On June 23, 2020, in the presence of DEA personnel, a Confidential Source (CS) placed numerous recorded phone calls to Individual 1 to discuss the sale and distribution of methamphetamine. In these phone calls, Individual 1 agreed to meet the CS at the City Mill parking lot, located at 91-1061 Keaunui Dr, Ewa Beach, HI, to conduct a half ounce (or approximately 14 grams) sale of methamphetamine for \$800. Furthermore, Individual 1 stated that his associate will bring the methamphetamine.

7. On the same date, DEA personnel established surveillance at the City Mill parking lot and observed Individual 1 enter the parking lot on a bicycle. The CS then placed a recorded phone call to Individual 1, as witnessed by DEA personnel. In this conversation, Individual 1 stated that he did not have the methamphetamine in his possession, but that his associate who had the methamphetamine was in the immediate area. The CS then placed another recorded phone call to Individual 1, as witnessed by DEA personnel. In this conversation, the CS informed Individual 1 that the CS needed to cancel the transaction. Shortly after, DEA personnel observed Individual 1 enter into a vehicle parked in the City Mill parking lot driven by Shawn MARTINEZ and also


occupied by Individual 2. DEA personnel then took MARTINEZ, Individual 1, and Individual 2 into custody.

8. A search of the vehicle driven by MARTINEZ produced 77 gross grams of methamphetamine and drug paraphernalia. In the post-Miranda interview of MARTINEZ, MARTINEZ stated that he drove Individual 2 to the City Mill parking lot to meet Individual 1 in order to facilitate a half ounce deal between them. MARTINEZ also stated that he often drives Individual 2 around to conduct narcotic transactions. MARTINEZ claimed ownership of the drug paraphernalia and stated that the methamphetamine inside the car belonged to Individual 2. The aforementioned methamphetamine was field tested and resulted positive for the presence of methamphetamine.

CONCLUSION

9. Based on my training and experience and the aforementioned facts, I believe that probable cause exists that on June 23, 2020, in the District of Hawaii, Shawn MARTINEZ did commit the crime of conspiracy to distribute methamphetamine, a violation of Title 21, United States Code, Sections 846 and 841(a)(1).

FURTHER AFFIANT SAYETH NAUGHT.



Timothy H. Nguyen
Special Agent, DEA

Sworn to under oath before me telephonically,
and attestation acknowledged pursuant to
Federal Rule of Criminal Procedure 4.1(b)(2)
on June 24, 2020:





Wes Reber Porter
United States Magistrate Judge